

# SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

**SUBJECT:** Resolution to accept land for public purposes

**DEPARTMENT:** Planning and Development **DIVISION:** Development Review

**AUTHORIZED BY:** Donald S. Fisher **CONTACT:** Mahmoud Najda **EXT.** 7354

**Agenda Date** 12/09/03 **Regular** ☐ **Consent** ☒ **Work Session** ☐ **Briefing** ☐  
**Public Hearing – 1:30** ☐ **Public Hearing – 7:00** ☐

**MOTION/RECOMMENDATION:**

Adopt the Resolution to accept the Warranty Deed and cancel property taxes for land donated as right-of-way on C-15 (Upsala Road) from UPSALA EXECUTIVE CENTRE INC.

District 5 – McLain. (Jean Abi-Aoun – Principal Engineer)

**BACKGROUND:**

The owner, Upsala Executive Centre Inc., is proposing an office building on their property located on Upsala Road 150' south of State Road 46, and have agreed to donate land to Seminole County for additional right-of-way on Upsala Road. This resolution accepts the right-of-way and cancels the ad valorem taxes on the property.

UPSALA EXECUTIVE CENTRE INC. is required as part of its right of way use permit, to install a northbound left turn lane at the property entrance on Upsala Road and dedicate the additional right of way required for the left turn lane to be constructed per Seminole County standards. A 40' half right of way is required to construct the Upsala Road improvements to Seminole County standards so the owners are dedicating an additional 7' of right of way. Per the Seminole County Land Development Code Appendix A, Section 11.3, a developer may be required to dedicate right-of-way to the County if the site abuts an existing street of inadequate right-of-way, and the need for additional right-of-way is rationally related to the development being approved. Florida Statutes permit the Board of County Commissioners to cancel all liens and ad valorem taxes, both delinquent and current, owed on land acquired by the County for road or other public purposes.

Reviewed by:  
 Co Atty: hzc  
 DFS: \_\_\_\_\_  
 Other: ss  
 DCM: ss  
 CM: VB  
 File No. cpdd04

**STAFF RECOMMENDS :**

Staff recommends that the Board cancel all property taxes for this parcel and approve the attached resolution. The taxes cancelled for year 2003 are estimated to be \$60.02.

District 5 - McLain

Attachments: Resolution

Warranty Deed

Estimate of Real Property Assessment

**R E S O L U T I O N**

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR  
MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF  
SEMINOLE COUNTY, FLORIDA, ON 09th DAY  
OF December, 2003 .

WHEREAS, it has been determined by the Board of County Commissioners of Seminole County that there is a necessity for future improvements to property, located in Section 28 Township 19 South, Range 30 East, Seminole County, Florida; and

WHEREAS, the implementation of the future roadway improvements will require right-of-way not now owned by the County of Seminole; and

WHEREAS, UPSALA EXECUTIVE CENTRE INC., has indicated its willingness to donate to Seminole County the required right-of-way, as evidenced by an executed Warranty Deed for RIGHT-OF-WAY, attached hereto; and

WHEREAS, Section 196.28, Florida Statutes, provides for and authorizes the Board of County Commissioners to cancel and discharge any and all liens for taxes, delinquent or current, held or owned by the County or State upon lands conveyed to or acquired by the County for road purposes.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Seminole County hereby accepts that Warranty Deed for Right-of-way executed August 28, 2003, conveying to Seminole County the land described in EXHIBIT "A", attached hereto.

BE IT FURTHER RESOLVED that all ad valorem taxes either current or delinquent, that are owed upon and liens upon said lands resulting from said taxes and relating to the lands described in EXHIBIT "A" are hereby cancelled and discharged.

BE IT FURTHER RESOLVED that said Warranty Deed be recorded in the Official Records of Seminole County, Florida.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be provided by the Clerk to the Board of County Commissioners to the Tax Collector for Seminole County and the Property Appraiser for Seminole County.

ADOPTED THIS 09th DAY OF December, 2003 .

**BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA**

**ATTEST:**

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**DARYL G. MCLAIN**

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**MARYANNE MORSE, Clerk to the Board of  
County Commissioners in and for Seminole  
County, Florida.**

Prepared by:  
Karen Z. Consalo  
Assistant County Attorney  
1101 East First Street  
Sanford, Florida 32771

**WARRANTY DEED**

**THIS WARRANTY DEED** is made this 28th day of August, 2003, between UPSALA EXECUTIVE CENTRE, INC., a Florida corporation having its principal place of business at 2684 Wharton Circle, Tallahassee, Florida 32312, hereinafter called the GRANTOR, and SEMINOLE COUNTY, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter called the GRANTEE.

**W I T N E S S E T H:**

The GRANTOR, for and in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00) and other valuable considerations, to GRANTOR in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged by these presents does grant, bargain, sell, release, convey and confirm unto the GRANTEE, its heirs and assigns forever, all that certain land lying and being in the County of Seminole, State of Florida, more particularly described in Attached Exhibits A.

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

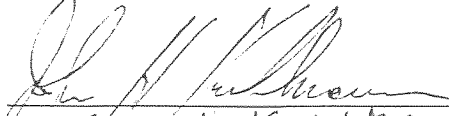
**TO HAVE AND TO HOLD** the same in fee simple forever.

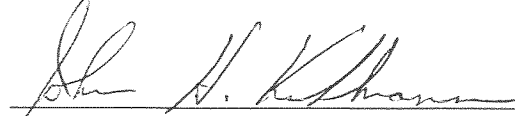
**AND** the GRANTOR hereby covenants with said GRANTEE that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

IN WITNESS WHEREOF, the GRANTOR has hereunto set its hand and seal the day and year first above written.

ATTEST:

UPSALA EXECUTIVE CENTRE, INC.


  
By: JOHN H. KUHLMANN  
Its: ASSISTANT SECRETARY

  
By: John Kuhlmann  
Its: President

STATE OF FLORIDA                    )  
  )  
COUNTY OF Orange                    )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared John H. Kuhlmann and John H. Kuhlmann, known to me, ~~-or- have produced~~ as identification, to be the Assistant Secretary and President, respectively, of UPSALA EXECUTIVE CENTRE, INC., and that they severally acknowledged executing this Warranty Deed freely and voluntarily under authority duly vested in them by said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 28th day of August, 2003.

 Heather Bonner  
My Commission CC967928  
Expires September 19, 2004

  
Notary Public, in and for  
the County and State Aforementioned

My Commission Expires: 9-19-04

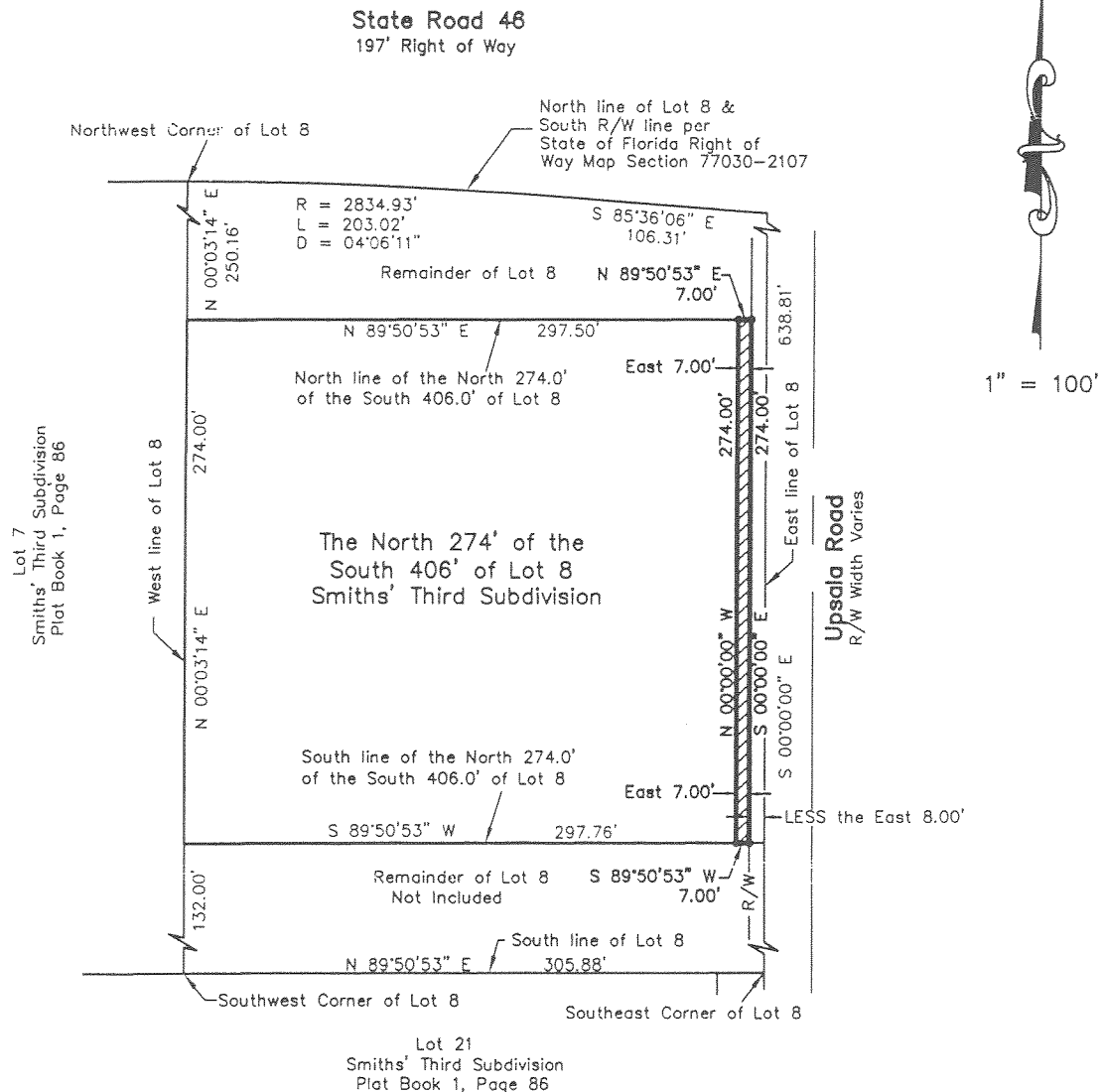
P:\Users\CAKC01\MYDOCS\Deeds\Upsala Warranty Deed.doc

# Sketch & Description

The East 7.00 feet of the following described parcel:

The North 274.00 feet of the South 406.00 feet of Lot 8 (LESS the East 8.00 feet thereof), SMITHS' THIRD SUBDIVISION, according to the plat thereof as recorded in Plat Book 1, Page 86 in the Public Records of Seminole County, Florida.

Contains 0.044 acres, more or less.



1. This is not a survey.
2. Bearings shown hereon are based on the East line of Lot 8 being assumed as South 00°00'00" East.
3. This sketch is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.



**Benchmark Surveying & Mapping Consultants, Inc.**

Certificate of Authorization Number - LB 6796

Post Office Box 771065, Winter Garden, Florida 34777-1065

557 West Plant Street, Winter Garden, Florida 34787

(407) 654-6183 Fax (407) 654-6184

39201skt

Project #

03/18/03

Date

Prepared By:

*Billy Joe Jenkins Jr.*  
Billy Joe Jenkins Jr. PSM # 5205

SEMINOLE COUNTY PROPERTY APPRAISER  
1101 E FIRST STREET  
SANFORD, FL 32771  
407-665-7523

ESTIMATE OF REAL PROPERTY ASSESSMENT AND AD VALOREM TAXES

DATE: 11/05/2003  
PARCEL: 28 - 19 - 30 - 506 - 0000 - 008B  
PAD: 1270 UPSALA RD

OWNER: UPSALA EXECUTIVE CENTRE INC  
ADDRESS: PO BOX 15361  
TALLAHASSEE FL 32317 5361

LEGAL DESCRIPTION:

N 274 FT OF S 406 FT OF LOT 8 (LESS E 8 FT) SMITHS THIRD SUBD PB 1 PG 86

**NOTE:** This is an estimate based on information provided by requestor and other data available in this office. This estimate DOES NOT reflect non-ad valorem or special assessments and taxes. For information regarding County non-ad valorem or special assessments and taxes contact the Office of Management and Budget at (407) 665-7176.

Contact the city of SANFORD for city non-ad valorem or special assessments and taxes.

ASSESSMENT RECORDS INDICATE PARCEL WAS IMPROVED AS OF JANUARY 1, 2003.

JUST VALUE	2,877	
EXEMPTED AMOUNT	0	
TAXABLE VALUE	2,877	
MILLAGE RATE	20.8629	* Millages and exempt totals used are
*** ESTIMATED TAXES	60.02	based on latest certified amounts.

\*\*\* This estimate represents the most current value and is subject to change.

H.W. "BILL" SUBER

Initialed by person authorized to  
release this information



This estimate is good through: 12/05/2003.

Estimate is for a portion of the above description, containing 1,918 sq ft, being taken for additional road r/w.